



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/077,985	02/20/2002	Nitzan Arazi	2098/11	7971

7590 01/24/2005

DR. MARK FRIEDMAN LTD.

c/o Bill Polkinghorn

Discovery Dispatch

9003 Florin Way

Upper Marlboro, MD 20772

EXAMINER

ZEWDU, MELESS NMN

ART UNIT

2683

PAPER NUMBER

DATE MAILED: 01/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/077,985

Applicant(s)

ARAZI ET AL.

Examiner

Meless N Zewdu

Art Unit

2683

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 12-14 and 21-26 is/are rejected.
- 7) ☒ Claim(s) 6-11 and 15-20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 October 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. This action is in response to the communication filed on 10/4/04.
2. Claims 25 and 26 have been added.
3. Claims 1-26 are pending in this action.

Drawings

Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.121(d)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance. Examiner notes that a replacement drawing was received on 4/22/04, but has not "Prior art" labeling. Furthermore, the drawing, submitted with the current amendment, with "prior art" labeling indicated on (Fig. 1) does not include "replacement drawing" and hence not in compliance with current rules and practices of the Office.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 22 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Farwell et al. (Farwell) (EP 0 594 354 A2) in view of Yamauchi et al. (Yamauchi) (JP 11308153 A).

As per claim 1: a method for detecting a mobile unit by a base station, wherein frequency-hopping is used to communicate between base station and mobile units reads on abstract; col. 2, lines 8-26), comprising:

at a base station that is connected to a mobile unit reads on '354 (see abstract; col. 2, lines 8-26; col. 3, lines 18-25, 31-40).

communicating with the mobile unit from at least one neighboring base station reads on '354 (see fig. 1; col. 4, lines 1-58, particularly lines 44-58). In fig.1, it shown that the mobile unit can communicate with neighboring base station. But, Farwell does not explicitly teach about periodically yielding a hop during which the mobile unit communicates with at least one neighboring base station, as claimed by applicant. However, in a related field of endeavor, Yamauchi teaches about a frequency hopping based on a prescribed frequency hopping sequence communicated by a base station and a mobile station wherein, if a speed of the mobile station is more than a prescribed

Art Unit: 2683

value, at time of hand off, hopping is not used/yielded (see abstract and constitution).

Since, handoff requires at least a first and second base stations, the teaching shows that the mobile station is communicating with the second base station at the time when hopping is not used/yielded by the first base station and the speed of the mobile station is detected to be beyond a threshold value. Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the teach of Farwell with that of Yamauchi for the advantage of reducing signal processing at time of handoff (see abstract, "problem to be solved").

As per claim 22: Farwell discloses, in a system that includes a mobile unit and a plurality of base stations, and wherein a first one of the base stations communicates with the mobile unit ((see abstract; col. 2, lines 8-26), a method for another base station to detect the mobile unit (see fig. 1; col. 4, lines 1-58, particularly lines 44-58). Aso, Farwell discloses that a mobile station/unit can communicate simultaneously with at least more than one base station (see fig. 1; abstract; col. 4, lines 1-43). But, Farwell does not explicitly teach about, the first base station periodically yielding a time interval and during said time interval that has been yielded by the first base station, at least one neighboring base station communicating with the mobile unit, as claimed by applicant.

However, in a related field of endeavor, Yamauchi teaches about a frequency hopping based on a prescribed frequency hopping sequence communicated by a base station and a mobile station wherein, if a speed of the mobile station is more than a prescribed value, at time of hand off, hopping is not used/yielded (see abstract and constitution). Since, handoff requires at least a first and second base stations, the

Art Unit: 2683

teaching shows that the mobile station is communicating with the second base station at the time when hopping is not used/yielded by the first base station and the speed of the mobile station is detected to be beyond a threshold value. Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the teach of Farwell with that of Yamauchi for the advantage of reducing signal processing at time of handoff (see abstract, "problem to be solved").

As per claim 23: a method wherein said communicating with the mobile unit from said at least one neighboring base station includes transmitting to the mobile unit by said at least one neighboring base station reads on '354 (see fig. 1; col. 7, lines 9-23; col. 11, line 51-col. 12, line 4).

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Farwell in view of Yamauch as applied to claim 1 above, and further in view of Dent (GB 2 337 669 A).

As per claim 2: claim 2 recites, at neighboring base stations that are not close to each other, using the same hop to communicate with the mobile unit and at neighboring base stations which are close to one another, using different hops to communicate with the mobile unit. Farwell does not explicitly teach about In other words the feature of claim 2 is directed to frequency hops channels reuse. But, Farwell does not explicitly teach about the use of same frequency hops for far apart stations and different frequency hops for neighboring stations, as claimed by applicant. However, in a related field of endeavor, Dent teaches about a frequency hopping communication system using a technique of orthogonal offsetting to divide channels into sub-groups wherein adjacent

Art Unit: 2683

stations use different sub-groups while non-adjacent stations use same sub-groups of orthogonal offsets (see page 6, line 1-page 7, line 2; page 18, lines 8-13; page 20, lines 20-27). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the teaching of Farwell with that of Dent for the advantage of reducing interference between cells using same frequencies at the same time (see page 1, lines 4-6).

Claims 3-5, 13, 14 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Farwell in view of Roundtree (US 6,640,098 B1).

As per claim 3: in a wireless communication system comprising a base station connected with a mobile unit reads on '354 (see abstract; col.2, lines 8-26), a method of detecting a handset by at least one base station which is waiting for the mobile unit to enter its coverage area reads on '354 (see col. 4, lines 1-9), comprising:

from the at least one base station waiting for the mobile unit to enter its coverage area reads on '354 (see col. 4, lines 1-9).

at the base station waiting for the mobile unit to enter its coverage area reads on '354 (see col. 4, lines 1-58, particularly, lines 1-9). But, Farwell does not explicitly teach about a base station connected with the mobile unit, sending a PING command to the mobile unit and receiving an ECHO reply from the mobile unit, as claimed by applicant. However, in a related field of endeavor, Roundtree teaches about a system for obtaining service related information for local interactive wireless device, wherein a short range PING command signal is sent to a nearby device which responds back to the command signal. Furthermore, a transmitter/receiver can send the PING command signal (see

Art Unit: 2683

abstract; col. 9, line 59-col. 10, line 35; claims, particularly, claim 17). The response signal to the PING command signal can be considered (and is) as an ECHO signal. Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to add the PING command and ECHO response system to Farwell's teaching for the advantage of obtaining accurate service transaction (see col. 2, lines 43-50).

As per claim 13: Farwell discloses, in a wireless communication system comprising a base station connected with a mobile unit reads on '354 (see abstract; col.2, lines 8-26), a method of detecting a mobile unit by at least one base station which is waiting for the mobile unit to enter its coverage area reads on '354 (see col. 4, lines 1-9), comprising:

the base station connected to with the mobile unit in the coverage area (see col. 4, lines 1-9).

at the base station waiting for the mobile unit to enter its coverage area (see col. 4, lines 1-58, particularly, lines 1-9). But, Farwell does not explicitly teach about a base station connected with the mobile unit, sending a PING command to the mobile unit and receiving an ECHO reply from the mobile unit, as claimed by applicant. However, in a related field of endeavor, Roundtree teaches about a system for obtaining service related information for local interactive wireless device, wherein a short range PING command signal is sent to a nearby device which responds back to the command signal. Furthermore, a transmitter/receiver can send the PING command signal (see abstract; col. 9, line 59-col. 10, line 35; claims, particularly, claim 17). The response signal to the PING command signal can be considered (and is) as an ECHO signal.

Art Unit: 2683

Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to add the PING command and ECHO response system to Farwell's teaching for the advantage of obtaining accurate service transaction (see col. 2, lines 43-50).

As per claim 4: method, further comprising:

From the base station waiting for the mobile unit to enter its coverage area reads on '354 (col. 4, lines 1-9, lines 39-58). When the references are combined as shown in the rejection of claims 3 and 13, any base station will be able to send a PING command/message during a time interval that the base station connected with the mobile unit has yield. This is because a mobile unit on the process of handoff can communicate at least with two base stations simultaneously.

As per claim 5: method further comprising:

at each base station receiving the ECHO response, measuring the quality of the ECHO response and reporting the quality measurements to a switching connected to the base stations reads on '354 (see col. 4, lines 1-58, particularly lines 1-9, lines 44-58). The Farwell's reference shows that a signal strength is measured and compared against a predetermined threshold (see abstract). As shown above, when the references are combined, the mobile station will be able to send ECHO signal in response to the PING command/message from a base station. Furthermore, since the PING and ECHO reply are communication signals, a base station would be able to measure the quality of the ECHO signal. In addition, a base station reporting to its

Art Unit: 2683

switching controller about a signal condition related to a mobile unit is conventional and would have been obvious.

As per claim 14: the feature of claim 14 is similar to the feature of claim 5. Hence, claim 14 is rejected on the same ground and motivation as claim 5.

As per claim 24: a method wherein the at least one base station waiting for the mobile unit to enter its coverage area starts to monitor said ECHO reply when an initial connection of the mobile unit to any one of the base stations is created reads on '354 (see abstract; fig. 1; col. 2, lines 8-21). It is shown in the rejection of claim 13 that a base station can monitor/detect a mobile station/unit. Also shown is the mobile unit being able to communicate with plural base station. Hence, when the references are combined, any of the base stations can PING a mobile unit and be able to receive an ECHO reply therefrom according to the teaching of Yamauchi.

As per claim 25: a method, wherein the at least one base station waiting for the mobile unit to enter its coverage area sends a plurality of said PING commands to the mobile unit reads on '098 (see abstract; claim 9, line 59-col. 10, line 35; claims 1 and 17).

According to the reference ('098) wireless devices and servers located in the same vicinity can exchange the short range PING and response/Echo signals for obtaining services.

As per claim 26: a method, wherein the base station connected with the mobile unit sends a plurality of said PING commands to the mobile unit reads on '098 (see abstract; claim 9, line 59-col. 10, line 35; claims 1 and 17). According to the reference ('098),

Art Unit: 2683

wireless devices and servers located in the same vicinity can exchange the short range PING and response/Echo signals for obtaining services.

Claims 12 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Farwell in view of Fudge, as applied to claims 3 and 13 above, and further in view of Lu et al. (Lu) (US 6,212,395 B1).

As per claim 12: but, the above references do not explicitly teach about a wireless communication system that comprises a wireless private branch exchange (WPBX) handling calls from mobile units comprising handsets, as claimed by applicant.

However, in a related field of endeavor, Lu teaches a wireless communication system comprising wireless/cellular private branch exchange (WPBX) (see abstract; figs 5A, 12; col. 2, line 58-col. 3, line 46; col. 9, lines 36-67). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the teaching of the above references with that of Lu for the advantage of providing mobility management for the first plurality of/(cordless) mobile stations (see col. 3, lines 13-22).

As per claim 21: the feature of claim 21 is similar to the feature of claim 12. Hence, claim 21 is rejected on the same ground and motivation as claim 12.

Allowable Subject Matter

Claims 6-11 and 15-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

Applicant's arguments with respect to claims 1-12 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Meless N Zewdu whose telephone number is (703) 306-5418. The examiner can normally be reached on 8:30 am to 5:00 pm..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (703) 308-5318. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Meless Zewdu

M-Z

Examiner

07 July 2004.